

REMARKS

Reconsideration of this application is respectfully requested in view of the above amendments and the remarks contained herein.

STATUS OF CLAIMS AND SUPPORT FOR AMENDMENTS

Upon entry of this amendment, claims 1-4, 8-12, and 16-26 will be pending in this application. Claims 5-7 and 13-15 have been cancelled without prejudice to, or disclaimer of their subject matter. The amendments to claims 1, 9, 17, 18, 19, and 20 are supported by claims 5-7 and 13-15 and by the specification from paragraphs [0060]-[0065] as originally filed.

OBVIOUSNESS REJECTIONS

A. Claims 1-3, 5-6, 8-11, 13-14, and 16-20 over Takahashi et al. in view of Ayling et al.

On pages 2-5 of the Office action dated January 11, 2010, the Office has rejected claims 1-3, 5-6, 8-11, 13-14, and 16-20 under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 6,424,429 (Takahashi et al.) in view of U.S. Patent No. 6,816,281 (Ayling et al.). Applicants respectfully traverse this rejection for the reasons given below.

The Office action states:

Office action dated January 11, 2010 at pages 2-3.

Regarding Claims 1, 17 and 19, Takahashi discloses an image forming apparatus (see Fig.1 and Co1.1, Line 6-11), comprising: an input device for receiving image data as an input (see Fig.1 (11), Fig.4 (11) and Co1.10, Line 43-52); a transfer portion for transferring the image data received by the input unit to an image memory of a memory-incorporating apparatus connected to the input device via network (see Fig.1 (11,13,16), Fig.2 (24), Co1.9, Line 9-23 and Co1.11, Line 35-51); a reception portion for receiving the image data

stored in the image memory in accordance with a processing signal (see Fig.1 (11,16), Fig.2 (24,25) and Co1.11, Line 35-59) and a printing device for forming an image with use of the image data received by the reception portion (see Fig.1 (11) and Co1.10, Line 43-52).

Recognizing at least some of the deficiencies of Takahashi et al. with respect to Applicant's claimed invention, the Office turns to Ayling et al., stating:

Takahashi fails to disclose a memory recall key for generating a memory recall signal; and wherein the reception portion receives the image data in accordance with the memory recall signal. Takahashi, however, teaches receiving and printing the document data transferred from the memory-incorporating apparatus (see Fig.1 (11,PC14) and Co1.11, Line 28-42). Ayling discloses a function recall key for transferring image data from a storage portion to a working memory for processing (see Fig.1 (46), Fitg.3 (P5,104), Fig.4 (P5,104), Co1.2, Line 30-44, Co1.3, Line 23-40 and Co1.4, Line 56-60).

Takahashi and Ayling are combinable because they are from the same field of endeavor, namely image data processing apparatuses. At the time of the invention, it would have been obvious for one skilled in the art to include to Takakashi's image forming apparatus a memory recall key for transferring stored image data to the reception portion for processing. The motivation would be to process previously stored image data. The memory recall key would enable for stored image data to be retrieved from a storage unit (memory-incorporating apparatus), and processed at the image forming device.

Office action dated January 11, 2010 at page 3.

However, in the device recited in the claims, when the first key and the second key are pressed, the input device receives image data, the transfer portion transfers the image data received by the input device, and the printing device forms an image based on the image data received by the input device. At least a portion of

these processes occur while the display portion displays the third key (i.e., the display portion displays the third key after the transfer portion transfers the image data received by the input device.)

Thereafter, if the third key is pressed, the reception portion receives the image data transferred by the transfer portion from the memory-incorporating apparatus and the printing device forms an image based on the image data received by the reception portion.

The display of the third key when the image data has been transferred to the memory-incorporating apparatus improves the operability of user-instructed memory recall. None of the cited references, either individually or combined, disclose the display of such a third key after image data has been transferred to a memory-incorporating apparatus. Takahashi et al., as the Office appears to recognize, does not disclose a memory recall key at all. Ayling et al. is directed to a device for printing labels on a tape. Applicants respectfully submit that Ayling et al. does not disclose a display portion that displays a third key when the image data has been transferred to the memory-incorporating apparatus. Accordingly, even if Takahashi et al. and Ayling et al. were properly combinable, the result would not be Applicants' claimed invention.

Moreover, the Office alleges that the Takahashi et al. and Ayling et al. references are combinable because "they are from the same field of endeavor." However, the "Field of the Invention" of Ayling et al. states:

The present invention relates to storage at labels in a printing device and is particularly concerned with a printing device where the label size is not predetermined by a particular label stock.

Ayling et al., column 1, lines 6-10 (emphasis added). The "Field of the Invention" of Takahashi et al. states:

The present invention relates to a file system as well as to a recording medium with a program used in the system and is applicable in a processing system for executing data processing such as data copying, facsimile communications, and printing, capable of backing up treated data, and further making it possible to read out desired data easily.

Takahashi et al., column 1, lines 6-11 (emphasis added). A label printer is not the same field of endeavor as a facsimile machine. The references are, by their own terms, drawn from completely different fields of endeavor. Moreover, the Office has not explained how the Ayling et al. reference addresses or solves a problem recognized by Takahashi et al. Accordingly, the references are not properly combinable.

For these reasons, Applicants respectfully submit that the Office has failed to establish a *prima facie* case of obviousness, and that this rejection should be withdrawn.

B. Claims 4, 7, 12, and 15 over Takahashi et al. in view of Ayling et al., and in further view of Nishiyama et al.

On pages 6-7 of the Office action dated January 11, 2010, the Office has rejected claims 4, 7, 12, and 15 under 35 U.S.C. § 103(a) as obvious over Takahashi et al. in view of Ayling et al., and in further view of U.S. Patent No. 6,067,281 (Nishiyama et al.). Applicants respectfully traverse this rejection for the reasons given below.

Nishiyama et al. does not cure the deficiencies of Takahashi et al. and Ayling et al. noted above.

For these reasons, Applicants respectfully submit that the Office has failed to establish a *prima facie* case of obviousness, and that this rejection should be withdrawn.

C. Claims 21-26 over Takahashi et al. in view of Ayling et al., and in further view of Anai

On pages 7-9 of the Office action dated January 11, 2010, the Office has rejected claims 21-26 U.S.C. § 103(a) as obvious over Takahashi et al. in view of Ayling et al., and in further view of U.S. Patent No. 5,663,800 (Ainai). Applicants respectfully traverse this rejection for the reasons given below.

Ainai et al. does not cure the deficiencies of Takahashi et al. and Ayling et al. noted above.

For these reasons, Applicants respectfully submit that the Office has failed to establish a *prima facie* case of obviousness, and that this rejection should be withdrawn.

CONCLUSION

Applicants submit that this application is in condition for immediate allowance, and an early notification to that effect is respectfully requested. If the Examiner has any questions about this application, or believes that any issues remain to be resolved, the Examiner is respectfully requested to contact the undersigned to arrange for a personal or telephonic interview to resolve these issues prior to the issuance of another Office action.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

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